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UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Francis KALUSH, et al.

Art Unit: 1646

Serial No.: 09/933,267

Examiner: S. H. STANDLEY

Filed: August 21, 2001

Atty. Docket: CL000258CI4

For: ESTROGEN RECEPTOR ALPHA VARIANTS
AND METHODS OF DETECTION THEREOF

**Statement Regarding Duty to Disclose Information Material To Patentability Under
37 CFR 1.56 (a) and (b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

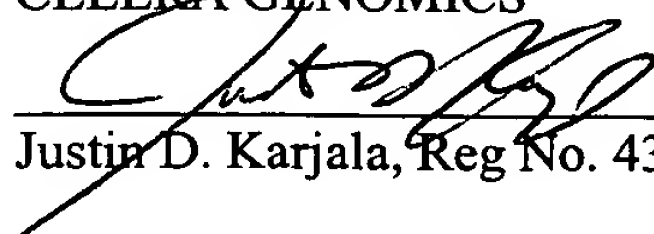
Sir:

Applicants hereby notify the US Patent and Trademark Office of the documents listed on the attached PTO Form SB/08A, which may be deemed relevant to the patentability of the claims of the above application. One copy of each of the listed documents is submitted herewith. The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application.

Please charge the IDS fee set forth in §1.17(p) to deposit account number 50-0970. Furthermore, the Office is authorized to charge any other necessary fees related to the processing of this application to Deposit Account No. 50-0970.

Respectfully submitted,

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 1

Complete if Known

Application Number	09/933,267
Filing Date	August 21, 2001
First Named Inventor	Francis KALUSH et al.
Group Art Unit	1646
Examiner Name	S. H. STANDLEY
Attorney Docket Number	CL000258CI4

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS); title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		MURPHY L. C., et al.; "Estrogen receptor variants and mutations"; Journal of Steroid Biochemistry & Molecular Biology, vol. 62, no. 5-6, 1997, pages 363-372, XP001010877	
		DOTZLAW H., et al.; "Characterization of estrogen receptor variants mRNAs from human breast cancers"; Molecular Endocrinology, vol. 6, no. 5, 1992, pages 773-785, XP001012041	
		Database EMBL [online]; European Molecular Biology Laboratory; 12 March 1999 (1999-03-12); WALL M: "Human DNA sequence from clone RP3-404G5 on chromosome 6q24.1-25.2"; XP002305069	
		SCHUBERT E. L. et al.; "Single nucleotide polymorphisms (SNPs) in the estrogen receptor gene and breast cancer susceptibility"; Journal of Steroid Biochemistry & Molecular Biology, vol. 71, November 1999 (1999-11), pages 21-27, XP001010874	
		LEMIEUX P. and FUQUA S.; "The role of the estrogen receptor in tumor progression"; The Journal of Clinical Endocrinology & Metabolism, vol. 56, no. 1-6, 1996, pages 87-91, XP001010876	
		WILTSCHKE C. et al.; "Isolation of a 'super-active' estrogen receptor variant from premalignant breast lesions"; Breast Cancer Research Treatment, vol. 37, no. Sup, 1996, page 40, XP001011239	
		LORENTZON M et al.; "Estrogen Receptor Gene Polymorphism, but not estradiol levels, is related to bone density in healthy adolescent boys: A cross-sectional and longitudinal study"; The Journal of Clinical Endocrinology & Metabolism, vol. 84, no. 12, 1999, pages 4597-4601, XP001011802	
		JAZAERI O. et al.; "Expression of estrogen receptor alpha mRNA and protein variants in human endometrial carcinoma"; Gynecologic Oncology, vol. 74, July 1999 (1999-07), pages 38-47, XP001011870	
		GREEN S. et al.; "Human oestrogen receptor cDNA: sequence, expression and homology to v-erb-A", vol. 320, 1986, pages 134-139, XP001009860	
		Copy of European Search Report under rule 112 EPC dated December 01, 2004	

Examiner
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Considered

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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